

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

12-10-01  
PATENT APPLICATION  
ATTORNEY DOCKET NO. 10003247-5

IN THE  
U.S. PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior application:

Examiner: **K. Addison**

Art Unit: **2834**

"Express Mail" label no.: **EK392941867US**

Date of Deposit: **11/08/2001**

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By *Katherine Lopez Diangson*

Typed Name: **Katherine Lopez Diangson**

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

**REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)**

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a

( ) continuation application of:

(X) divisional application of:

**Pending Prior Application**

Application Serial No. **09/652,455** filed **08/31/2000**

Title **Acoustic Wave Resonator And Method Of Operating The Same To Maintain Resonance When Subjected To Temperature Variations.**

Name of applicant(s) **John Dwight Larson III**

**Copy of Application**

- (X) Enclosed is a copy of the prior application, including the drawings.  
( ) Enclosed is a new specification, including new drawings.

**Oath or Declaration**

- (X) Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).  
( ) Enclosed is a newly executed Declaration (original or copy).

**Foreign Priority - 35 USC 119**

- ( ) Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_  
( ) The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_  
( ) A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

**Relate Back - 35 USC 120**

- (X) Amend the specification after the title by inserting the following heading:

--Cross Reference To Related Application(s)--;

and add the paragraph:

--This is a ( ) continuation (X) divisional

of copending application serial number **09/652,455** filed on **08/31/2000**

*now U.S. Patent  
6,420,820.*

Inventorship Statement

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- (X) Recognize as Associate Attorney or Agent Pamela Lau Kee

Registration No. 36,184

- ( ) authorization is hereby granted by signature below of the Attorney or Agent of record  
( ) the Associate Attorney or Agent shall not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to:

Direct telephone calls to:

AGILENT TECHNOLOGIES, INC.  
Legal Department; DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

Other Amendments

- (X) Before calculating the filing fee, amend the prior application as follows:

- (X) Cancel the following claims 1 through 13 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

- ( ) Enter the enclosed Preliminary Amendment.

Fee Calculation

- (X) The filing fee is calculated below for (X) Utility ( ) Design

| CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY         |                     |                     |             |               |
|--|---------------------|---------------------|-------------|---------------|
| (1)<br>FOR   | (2)<br>NUMBER FILED | (3)<br>NUMBER EXTRA | (4)<br>RATE | (5)<br>TOTALS |
| TOTAL CLAIMS   | 5 — 20              | 0                   | X \$18      | \$ 0          |
| INDEPENDENT CLAIMS                                   | 1 — 3               | 0                   | X \$84      | \$ 0          |
| ANY MULTIPLE DEPENDENT CLAIMS                        | 0                   |                     | \$280       | \$ 0          |
| BASIC FEE: Design ( \$330.00 ); Utility ( \$740.00 ) |                     |                     |             | \$ 740        |
| TOTAL FILING FEE                                     |                     |                     |             | \$ 740        |
| TOTAL CHARGES TO DEPOSIT ACCOUNT                     |                     |                     |             | \$ 740        |

Charge \$ 740 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

John Dwight Larson III

By Pamela Lau Kee

Pamela Lau Kee

Attorney/Agent for Applicant(s)  
Reg. No. 36,184

Date: 8 November 2001

Telephone No.: (408) 553-3059